

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

|   |   |                                  |
|---|---|----------------------------------|
| <b>BOBBY SMITH, JR.,</b>                | : |                                  |
| <b>Plaintiff,</b>                       | : |                                  |
| <b>vs.</b>                              | : | <b>CIVIL ACTION 09-0448-CG-M</b> |
| <b>GWENDOLYN GIVENS, <u>et al.</u>,</b> | : |                                  |
| <b>Defendants.</b>                      | : |                                  |

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that Plaintiff's complaint be and is hereby **DISMISSED** with prejudice.

**DONE and ORDERED** this 30<sup>th</sup> day of April, 2010.

/s/ Callie V. S. Granade  
UNITED STATES DISTRICT JUDGE